

REMARKS

The Examiner rejects claim 1 under 35 U.S.C. § 102 as being anticipated by Waller '091. There are, however, major differences between the '091 patent and the current invention. The '091 patent teaches a process of level detecting the input signal and providing a buffered level detected signal at 70. The buffered output 70 is applied to a buffered negative peak detector 80. The maximum threshold reference 140 is only applied to the buffered negative peak detector at the onset of a higher level input signal. The output of buffered negative peak detector 80 is applied to threshold scale amplifier 150 and the output EDC is not a level control signal used to control a voltage controlled amplifier or voltage controlled filter but, in reality, is a dynamically adaptive threshold control signal. This adaptive control signal EDC is used as the threshold control signal for setting an adaptive threshold for a level detector, which would be used to control a voltage controlled amplifier or voltage controlled filter.

Furthermore, the output signal EDC in the '091 patent does not provide any long time constant at all, but rather provides in effect a sample and hold circuit that provides an output EDC equal to the lowest noise level present in the input signal.

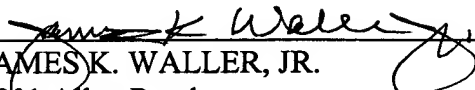
In comparison, the current invention discloses a circuit intended to directly control a voltage controlled amplifier or voltage controlled filter. The control signal is clamped at a level equal to the system threshold level and further provides an output with a long time constant release response. Therefore, claim one should be allowed since the '091 patent clearly does not anticipate the elements of claim one.

The Examiner also rejects claims 1 and 2 under 35 U.S.C. § 112 as indefinite as process claims without any steps. The claims have been amended accordingly.

The claims have also been amended in accordance with the requirement of the Examiner to overcome objections raised by the Examiner.

Enclosed please find a Petition for Extension of Time and a check in the amount of \$225.00 for the fee.

Respectfully submitted,



JAMES K. WALLER, JR.
9901 Allen Road
Clarkston, MI 48348
Phone: (248) 673-7790
Fax: (248) 673-7696